

section of this application recites that this application is a "continuation of copending Application No. 09/059,531, filed April 13, 1998, which is a continuation-in-part of three parent applications, namely Application No. 08/730,327, filed October 11, 1996, now U.S. Patent No. 6,190,353, Application No. 08/730,496, filed October 11, 1996, now U.S. Patent No. 5,830,222, both of which claim priority to Provisional Application No. 60/005,164 filed October 13, 1995 and Application No. 08/837,295, filed April 11, 1997 which claims priority to Provisional Application No. 60/028,922, filed August 26, 1996, and also is a continuation-in-part of Application No. 09/730,327, filed October 11, 1996, now U.S. Patent No. 6,190,353 and Application No. 09/730,496, filed October 11, 1996, now U.S. Patent No. 5,830,222." Currently prosecuted Claims 1-27 are fully supported by the written description of Provisional Application No. 60/028,922, filed August 26, 1996, to which this application claims priority. Thus, Claims 1-27 are entitled to the benefit of the August 26, 1996 filing date of Provisional Application No. 60/028,922. The *earliest* priority date claimed in Nelson et al. is September 16, 1996 (08/714,466 now issued as United States Patent No. 5,655,548). Furthermore, the cited Nelson et al. is a continuation-in-part, and nothing in the record establishes that the particular portions of Nelson et al. relied upon as grounds for rejection were even contained in the parent application filed on September 16, 1996. However, even if (*arguendo*) such portions of the Nelson et al. disclosure *were* present in the parent application filed on September 16, 1996, such would still not qualify as prior art to the present application under any subpart of 35 U.S.C. §102 because the claims currently under examination enjoy the benefit of the August 26, 1996 filing date of Provisional Application No. 60/028,922.

No other grounds for rejection were stated in the Office Action. Thus, on the basis of the foregoing, the rejection over Nelson et al. should be withdrawn. Claims 1-27 are in condition for allowance over all prior art of record.

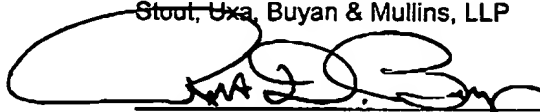
With respect to the withdrawal of Claims 3, 4 and 8-27 from prosecution, Applicant respectfully contends that such claims should be reinstated because Claim 1 is indeed generic and dependent Claims 3, 4 and 8-27 further define or

further limit the subject matter of generic independent Claim 1. Thus, reinstatement of Claims 3, 4 and 8-27 is hereby requested.

Accordingly, all Claims 1-27 are believed to be in condition for allowance. Issuance of a Notice of Allowance with respect to Claims 1-27 is earnestly solicited.

Respectfully submitted,  
Stout, Uxa, Buyan & Mullins, LLP

Date: June 24, 2003

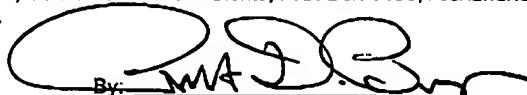
  
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is transmitted by facsimile to (703) 305-3579 to MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 24, 2003.

Dated: June 24, 2003

  
By: \_\_\_\_\_  
Robert D. Buyan